

UMMC98-13\rep2not2.fmp  
EWH33  
DEB/EWH  
12/2/98

SECTION 4  
PATENT APPLICATION  
Docket No.: UMMC98-13

#3



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Francis A. Ennis  
Application No.: 09/159,172 Group: 1643  
Filed: September 23, 1998 Examiner: not assigned  
For: PREDICTIVE ASSAY FOR IMMUNE RESPONSE

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>12/3/98</u>	<u>Jean Hibino</u>
Date	Signature
<u>Jean Hibino</u>	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated October 8, 1998, the following documents and fees are being submitted for filing in the captioned application:

- [ X ] **EXECUTED DECLARATION/POWER OF ATTORNEY** - A copy of the Notice is attached.  
(Separate transmittal letter and postcard not required)
- [ X ] **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate.  
(Separate transmittal letter and postcard not required)
- [ X ] **SURCHARGE** - surcharge fee of \$130.00.  
(Separate transmittal letter and postcard not required)
- [ ] **SEQUENCE LISTING** - Filed concurrently and is attached.  
(Separate transmittal letter and postcard required)

☐ **PETITION FOR EXTENSION OF TIME**

☐ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated [ ] for [ ] month(s) from [ ] to [ ].  
The appropriate fee of \$[ ] is included in the enclosed check.

☐ A [ ] month extension of time to respond to the Notice to File Missing Parts dated [ ] was filed on [ ] with payment of a \$[ ] fee.

☐ Applicant hereby petitions for an additional [ ] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[ ] is included in the enclosed check.

*(Separate Petition for Extension of Time and postcard not required)*

☒ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached.

*(Separate transmittal letter and postcard required)*

☐ **VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on [ ].

☐ Is enclosed herewith.  
*(Separate transmittal letter and postcard not required)*

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[ ] which were paid on [ ] to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$1,002.00. Authorization is hereby granted to charge any additional fees due to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

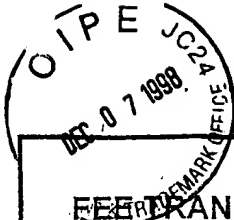
Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Edgar W. Harlan, Jr.  
Edgar W. Harlan, Jr.  
Registration No.: 42,632  
Tel.: (781) 861-6240  
Fax: (781) 861-9540

Lexington, Massachusetts 02421-4799

Date: December 3, 1998



HAMILTON, BROOK, SMITH &amp; REYNOLDS P.C.

FEE TRANSMITTAL FOR  
PATENT APPLICATIONS

Attorney Docket Number

UMMC98-13

Application Number

09/159,172

First Named Inventor

Francis A. Ennis

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (l))	20 - 20* =	0	x \$ 22 =	\$ 0
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (l))	4 - 3** =	1	x \$ 82 =	\$ 82
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 270 =	\$
				BASIC FEE (37 CFR 1.16(e))	\$ 790
				Total of above Calculations =	\$ 872
				Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =	\$
				TOTAL =	\$ 872
				Surcharge - Fee for Late Filing of Declaration (37 C.F.R. 1.16(e)) =	\$ 130
				Petition for Extension of Time Fee (37 C.F.R. 1.17) =	\$
				Assignment Recordation Fee =	\$
	* Reissue claims in excess of 20 and over original patent.			TOTAL =	\$ 1,002
	** Reissue independent claims over original patent.				

## 1. Small entity status:

- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$ 1,002.00 ☐ Please charge \$ \_\_\_\_\_ to Deposit Account No. 08-0380.

4. ☐ Other: \_\_\_\_\_

Submitted by  
Typed or Printed Name

Edgar W. Harlan, Jr.

Reg. Number

42,632

Signature

Edgar W. Harlan, Jr.

Date

December 3, 1998

UMMC98-13\corr-fil.rec  
EWH33  
DEB/EWH  
12/2/98



PATENT APPLICATION  
Docket No.: UMMC98-13

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Francis A. Ennis  
Application No.: 09/159,172 Group: 1643  
Filed: September 23, 1998 Examiner: not assigned  
For: PREDICTIVE ASSAY FOR IMMUNE RESPONSE

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>12/3/98</u>	<u>Jean Hibino</u>
Date	Signature
<u>Jean Hibino</u>	
Typed or printed name of person signing certificate	

REQUEST FOR CORRECTED FILING RECEIPT

Customer Correction Branch  
Application Processing Division  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In view of the concurrently filed Declaration/ Power of Attorney, we hereby request that the following items of information be corrected in the Filing Receipt for the subject application received in this office on October 16, 1998.

Please correct the number of independent claims from one (1) to **four (4)**.

Enclosed is a copy of the Filing Receipt with changes noted in red. Please make the changes as noted above, and issue a Corrected Filing Receipt.

Since the errors were made by the U.S. Patent and Trademark Office and not by Applicant or Applicant's Agent, it is understood that there are no additional fees for the requested corrected Filing Receipt.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Edgar W. Harlan, Jr.

Edgar W. Harlan, Jr.

Registration No.: 42,632

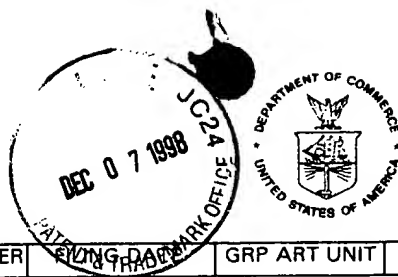
Tel.: (781) 861-6240

Fax: (781) 861-9540

Lexington, MA 02421-4799

Date: *December 3, 1998*

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/159,172	09/23/98	1643	\$0.00	UMMC98-13	2	20	1

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DAVID E BROOKS  
HAMILTON BROOK SMITH AND REYNOLDS  
TWO MILITIA DRIVE  
LEXINGTON MA 02173-4799

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)

FRANCIS A. ENNIS.

FOREIGN FILING LICENSE GRANTED 10/06/98

TITLE

PREDICTIVE ASSAY FOR IMMUNE RESPONSE

PRELIMINARY CLASS: 435



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/159,172	09/23/98	ENNIS	UNMC 98-13

DAVID E. BROOKS  
HAMILTON BROOK SMITH AND REYNOLDS  
TWO MILITIA DRIVE  
LEXINGTON MA 02173-4799  
262/1008  
NOT ASSIGNED  
1643

BEST AVAILABLE COPY

BEST AVAILABLE COPY

DATE MAILED:

10/08/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
*Filing Date Granted*

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☐ non-small entity is \$ 1002

- ☒ 1. The statutory basic filing fee is:  
☐ missing  
☐ insufficient  
Applicant must submit \$ 790 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- ☒ 2. Additional claim fees of \$ 82 for 1 independent claim(s) over 3.  
\$ 90.00 for 1 dependent claim(s) over 20.  
\$ 90.00 for multiple dependent claim surcharge 01 FC:101 790.00 DP  
Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.
- ☒ 3. The oath or declaration:  
☒ is missing or unexecuted.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.  
An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An adjusted date of filing declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the inventor is required since your check was returned without payment (37 CFR 1.21(m)).  
12/10/1998  
01 FC:131

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.  
See attached "Notice to Comply with Sequence Rules" 37 CFR 1.821-1.825.
- ☐ 9. OTHER

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

*Washington*  
Customer Service Center  
United States Patent & Trademark Office  
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